

EDUCATIONAL PURPOSE AND ACCEPTABLE USE OF ELECTRONIC RESOURCES, TECHNOLOGIES AND THE INTERNET

The West Virginia Department of Educations' Policy 2460, Educational Purpose and Acceptable Use of Electronic Resources, Technologies, and the Internet, establishes the educational purpose and acceptable use of electronic resources, technologies and the Internet. This policy applies to all West Virginia school districts. The guidelines set forth in this policy apply to any individual using a state, district, or school provided electronic device or network, regardless of whether the individual is on or off of state, district, or school property and regardless of whether the activity takes place during the individual's normal work hours.

Policy 2460 sets forth regulations that apply to districts, schools, students, educators, other school personnel, parents, guardians, WVDE and other users having direct contact with students. These regulations will assist implementation of policies at the state, district, and school levels to meet local, state and federal statutes and regulations pertaining to safe and acceptable use of the Internet, various digital resources and technologies, compliance with E-rate guidelines, and reinforcement of copyright compliance.

Overview of Use

1. Unauthorized, unacceptable, or unsafe use of the Internet as part of an educational program by students, educators or staff may result in suspension or revocation of use access privileges.
2. Each student accessing the Internet will be provided acceptable use training and shall have an acceptable use form, signed by a parent or legal guardian, on file at the district/school. Staff will closely monitor student usage and ensure that such documentation is on file.
3. The WVDE provides the network system, e-mail accounts, and Internet access as tools for education and administration in support of the WVBE's mission. Users have no expectation of privacy. The WVDE reserves the right to monitor, inspect, investigate, copy, review and store, without prior notice, information about the content and usage of any and all information transmitted or received in connection with networks, e-mail use, and web-based tools.
4. No student or staff user should have any expectation of privacy when using the district's network or equipment. The district reserves the right to disclose any electronic message, files, media, and other information to law enforcement officials or third parties as appropriate.
5. No temporary accounts will be issued, nor will a student or staff use an Internet account not specifically created for him or her. Based upon the acceptable use and safety guidelines outlined in Policy 2460, the WVDE, State Superintendent of Schools, and WVDE system administrators will determine what is appropriate use, and their decision is final.
6. Violation of use policies could result in loss of access, personal payment of fees incurred, employment discipline, licensure revocation and/or prosecution.
7. Administrative information systems, including WVEIS, are to be used exclusively for educational purposes. Ownership of student, personnel, and financial records remains with the agency with primary responsibility for maintenance of the information. WVDE reserves the right to access data maintained in or transmitted over state supported information systems and disclose it as appropriate for legitimate purposes. All staff must maintain the confidentiality of student data in accordance with FERPA and WVBE Policy 4350.
8. Employees may not attempt to gain access to another employee's files in the WVDE's information systems. The WVDE reserves the right to enter an employee's information system files whenever there is a legitimate need to do so.
9. These guidelines may be superseded by FERPA and other appropriate federal and state laws to the extent that such laws are more restrictive.
10. Any computer, as the property of MCS, is subject to random auditing, for the purpose of determining the presence of unauthorized software, by either MCS or software publishing organizations.

11. The appropriate use of technology and digital resources promotes positive and effective digital citizenship among students and staff. Digital citizenship represents more than technology literacy. Successful, technologically fluent digital citizens live safely and civilly in an increasingly digital world and use technology responsibly. They recognize that information posted on the Internet is public and permanent and can have a long-term impact on an individual's life and career. All users need to be part of this digital citizenry to appropriately and safely learn, work, play, and live in today's global society. The International Society for Technology in Education (ISTE) includes standards and provides guidance related to digital citizenship for students, teachers, administrators, instructional coaches and computer science educators.
12. Students and staff are encouraged to use district and school equipment whenever possible. Districts may permit the use of personal devices (e.g. cell phones, smart phones, tablets, digital cameras, MP3 players, and laptops) pursuant to local policies and guidelines. Unauthorized or unacceptable use of personal technology devices may result in suspension or revocation of personal device privileges. These uses include, but are not limited to, the following:
 - a. Using personal devices to gain or give an advantage in a testing situation.
 - b. Using unapproved personal devices during class.
 - c. Downloading and installing district-licensed software on personal devices unless specifically allowed by the licensing agreement.
 - d. Using personal devices to bypass filtering, circumvent network security, or in violation of the acceptable use standards which normally apply to district-owned technology.
 - e. Using personal devices for violations related to cyber bullying and harassment.

The McDowell County School System adopts the West Virginia Department of Education's Policy 2460, Educational Purpose and Acceptable Use of Electronic Resources, Technologies and the Internet, which can be viewed in its entirety at <http://wvde.state.wv.us/policies/>.

Employee Acceptable Use and Student Acceptable Use Agreements, with Student Waiver Application, can be found in Appendices A and B, respectively.

Adopting Date: October 6, 1997
Revision Date(s): September 20, 1999
July 20, 2008
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August 20, 2018

Appendix A

MCDOWELL COUNTY SCHOOLS
Educational Purpose and Acceptable Use of Electronic Resources,
Technologies and the Internet
EMPLOYEE AGREEMENT

Educator, Service Personnel, and Staff Responsibilities

1. All educators, service personnel, and staff are expected to maintain appropriate boundaries between personal social networking and professional/educational networking to protect the safety of students and professional integrity. For the protection of students and employees, any adult communication with students must occur either via one-way communication applications or district-sponsored applications, or directly with parents
2. Adults will maintain professional, ethical relationships with all students, both inside and outside the classroom and while using any form of social media and other electronic communication. Unethical conduct includes but is not limited to committing any act of harassment as defined by WVBE and/or district policy; committing or soliciting any sexual act from any minor or any student regardless of age; soliciting, encouraging, or consummating a romantic or inappropriate relationship with a student, regardless of the age of the student; using inappropriate language including, but not limited to, swearing and improper sexual comments; taking inappropriate pictures (digital, photographic or video) of students or exchanging any inappropriate pictures with students; or engaging in any other behavior that constitutes a violation of district or county policy or that is detrimental to the health and welfare of students.
3. The viewing, storing, transmitting, or downloading of pornography or sexually suggestive or sexually explicit material or text on a work provided computer or other work provided electronic storage or communication device or service, whether at home or at work, by school personnel or anyone else to whom the school personnel has made the computer or other electronic storage or communication device available, is prohibited. This same prohibition applies to a personal computer or other electronic storage or communication device while at school or a school activity. I will not use computers to view, create, modify or disseminate obscene, objectionable, violent, pornographic, or illegal material.
4. All information stored within work computers or servers is the property of the state, district or school, and the personnel using such computers/servers/networks have no expectation of privacy with respect to its contents. I will not use computers to send unsolicited, offensive, abusive, obscene, harassing, or other illegal communications.
5. Educators will promote and model acceptable use, digital citizenship and online responsibility to support personalized learning and digital-age assessments to meet applicable educational learning policies, for all students. I will not attempt to bypass system security.
6. Teachers, specialists, and other supervising adults will teach and discuss the appropriate use of electronic resources, technologies and the Internet with their students, monitor their use, and intervene if the uses are not acceptable.
7. School personnel who receive information via any electronic resource, including a social networking site, that falls under the mandatory reporting requirements of W. Va. Code §49-2-803, must report as law requires.
8. Staff members shall not use materials in violation of copyright law or contrary to terms of use provided by the owner of the materials. The West Virginia Department of Education and McDowell County Schools assume no liability for local violations of copyright law.
9. School personnel are responsible for protecting their passwords associated with their computers and e-mail address and must not make them accessible to others.

Acceptable Use

1. The use of the electronic resources, technologies, and the Internet must be in support of education and consistent with the educational goals, objectives and priorities of the WVBE. Use of other networks or computing resources must comply with the rules appropriate for that network and for copyright compliance. Users must also comply with the rules and regulations of the network provider(s) serving West Virginia districts and schools.
2. The use of telecommunications and/or access to the Internet is an extension of the students' responsibility in the classroom and must follow all federal and state laws as well as state and local policies.
3. State, district, and school-owned technology is to be used to enhance learning and teaching as well as improve the operation of the district and school.
4. Safety measures must be enforced to carry out policies at the state, district, and school, to implement the intent of CIPA, COPPA, E-rate guidelines, FERPA, and any other applicable state and federal statute and policy, including but not limited to Policy 4373 and W. Va. Code §18-2C-3.
5. Acceptable network use by students and staff includes, but may not be limited to the creation of files, projects, and various media products using-network resources in support of student personalized learning and educational administration.
6. Acceptable network use by students and staff includes, but may not be limited to the Appropriate participation in school-sponsored sites and online groups.
7. Acceptable network use by students and staff includes, but may not be limited to the online publication of educational material for instructional purposes and, with parental permission, student work. As required by copyright law, external sources must be cited.
8. Acceptable network use by students and staff includes, but may not be limited to the Incidental personal use by staff not contrary to district/school policies and guidelines.

Unacceptable Use

1. Inappropriate use or transmission of any material in violation of any federal or state law or regulation is prohibited. This includes, but is not limited to, copyrighted material, threatening, abusive, or obscene material, or material protected by trade secrets.
2. Use for commercial activities by for-profit institutions is not acceptable.
3. Use for product advertisement or political lobbying is also prohibited.
4. Illegal activities and privacy and safety violations of COPPA, CIPA, and FERPA are strictly prohibited.
5. Specific examples of unacceptable and/or unauthorized use include, but are not limited to:
 - a. Viewing, creating, accessing, uploading, downloading, storing, sending, or distributing obscene, pornographic, or sexually explicit material.
 - b. Downloading, uploading and/or executing viruses, worms, Trojan horses, time bombs, bots, malware, spyware, SPAM, and changes to tools used to filter content or monitor hardware and software.
 - c. Using e-mail and other electronic user identifications (IDs)/passwords other than one's own or for unauthorized purposes. Students and staff are responsible for all activity on their account and must not share their account IDs and passwords.
 - d. Illegally accessing or attempting to access another person's data or personal system files or unauthorized access to other state/district/school computers, networks and information systems.
 - e. Supplying your password to others.
 - f. Storing passwords in a file without encryption.
 - g. Using the "remember password" feature of Internet browsers and e-mail clients.
 - h. Leaving the computer without locking the screen or logging off.
 - i. Corrupting, destroying, deleting, or manipulating system data with malicious intent.

- j. Requesting that inappropriate material be transferred.
- k. Violating safety and/or security measures when using any form of electronic communications.
- l. Hacking, cracking, vandalizing, or any other unlawful online activities.
- m. Disclosing, using, or disseminating personal information regarding students.
- n. Cyber bullying, sending hate mail, defamation, harassment of any kind, discriminatory jokes and remarks and other unauthorized uses as referenced in, including but not limited to, Policy 4373 and other applicable federal and state statutes.
- o. Personal gain, commercial solicitation, and compensation of any kind.
- p. Any activity which may result in liability or cost incurred by the district.
- q. Unauthorized downloading, copying, installing and/or executing gaming, audio files, video files or other applications (including shareware or freeware).
- r. Campaigning, lobbying, or other activity via state supported platforms in support or opposition for political activity or issues, including but not limited to, ballot measures, candidates, or legislative proposals.
- s. Posting, sending, or storing information that could threaten or endanger others.
- t. Engaging in plagiarism or reproducing/repurposing media without permission.
- u. Attaching unauthorized equipment to the district or school networks or network connected devices. Any such equipment may be confiscated and/or turned over to law enforcement officers for potentially violating W. Va. Code §61-3C-5.
- v. Attaching unauthorized equipment or making unauthorized changes to the state backbone network. Unauthorized equipment may be confiscated and/or turned over to law enforcement officers for potentially violating W. Va. Code §-61-3C-5. Only WVDE network personnel may authorize changes affecting the state backbone network.
- w. Vandalizing technology equipment or data including but not limited to, uploading, downloading, or creating computer viruses or malware. Vandalism may result in revocation of user privileges and/or prosecution.
- x. Uses related to or in support of illegal activities.
- y. Provision of administrative responsibilities for a server with a wide area network or Internet connection to a current PreK-12 student outside of a laboratory environment, as with career and technical education computer related courses.

McDowell County Schools Employee Acceptable Use Agreement

FAILURE TO COMPLY

I have read the rules and regulations contained in Policy 6-011. I also understand that any computer, as the property of MCS, is subject to random auditing, for the purpose of determining the presence of unauthorized software, by either MCS or software publishing organizations. Failure to comply with the policies as set forth here may result in loss of privileges to use Internet and network computers indefinitely and may also result in further disciplinary action up to and including suspension and expulsion. The McDowell County Board of Education shall ensure implementation of this policy in a method that promotes proper use of the Internet. As needed, each school shall utilize technical assistance that is available from the West Virginia Department of Education and RESA I to promote implementation of this policy. Additionally, each school shall establish procedures that promote the proper use of the Internet system. These procedures must be consistent with approved county and West Virginia Board of Education policies and guidelines.

Policy 6-011 *Educational Purpose and Acceptable Use of Electronic Resources, Technologies, and the Internet*, in its entirety, is available on the McDowell County Schools Website at the following URL: <http://boe.mcdo.k12.wv.us>

Your signature below denotes you are aware of the contents and consequences identified in this policy.

Employee Name (please print) _____

Employee's Signature: _____

Date: ____/____/____

Note: This form will be kept on file in the school office. Employees not located in schools should submit the signed documents to their Administrator.

Appendix B

MCDOWELL COUNTY SCHOOLS
 Educational Purpose and Acceptable Use of Electronic Resources,
 Technologies and the Internet
STUDENT ACCEPTABLE USE AGREEMENT AND WAIVER APPLICATION

Acceptable Use

1. I will only use electronic resources, technologies, and the Internet in support of education and consistent with the educational goals, objectives and priorities of the WVBE. Use of other networks or computing resources must comply with the rules appropriate for that network and for copyright compliance. Users must also comply with the rules and regulations of the network provider(s) serving West Virginia districts and schools.
2. I understand the use of telecommunications and/or access to the Internet is an extension of my responsibility in the classroom and I will follow all federal and state laws as well as state and local policies.
3. I will use state, district, and school-owned technology to enhance my learning, as well as improve the operation of the district and school.
4. I understand that safety measures must be enforced to carry out policies at the state, district, and school, to implement the intent of CIPA, COPPA, E-rate guidelines, FERPA, and any other applicable state and federal statute and policy, including but not limited to Policy 4373 and W. Va. Code §18-2C-3.
5. I understand that acceptable network use by students and staff includes, but may not be limited to the creation of files, projects, and various media products using-network resources in support of student personalized learning and educational administration.
6. I understand that acceptable network use by students and staff includes, but may not be limited to the appropriate participation in school-sponsored sites and online groups.
7. I understand that acceptable network use by students and staff includes, but may not be limited to the online publication of educational material for instructional purposes and, with parental permission, student work. As required by copyright law, external sources must be cited.

Unacceptable Use

1. I will not inappropriately use or transmit any material in violation of any federal or state law or regulation. This includes, but is not limited to, copyrighted material, threatening, abusive, or obscene material, or material protected by trade secrets.
2. I will not use technology for commercial activities in conjunction with for-profit institutions.
3. I will not use technology for product advertisement or political lobbying.
4. I will not use technology for illegal activities or in violation of privacy and safety regulations of COPPA, CIPA, and FERPA.
5. Specifically, I will not engage in the following examples of unacceptable and/or unauthorized use. These specific examples include, but are not limited to:
 - a. Viewing, creating, accessing, uploading, downloading, storing, sending, or distributing obscene, pornographic, or sexually explicit material.
 - b. Downloading, uploading and/or executing viruses, worms, Trojan horses, time bombs, bots, malware, spyware, SPAM, and changes to tools used to filter content or monitor hardware and software.
 - c. Using e-mail and other electronic user identifications (IDs)/passwords other than one's own or for unauthorized purposes. Students and staff are responsible for all activity on their account and must not share their account IDs and passwords.
 - d. Illegally accessing or attempting to access another person's data or personal system files or unauthorized access to other state/district/school computers, networks and information systems.
 - e. Supplying your password to others.

- f. Storing passwords in a file without encryption.
- g. Using the "remember password" feature of Internet browsers and e-mail clients.
- h. Leaving the computer without locking the screen or logging off.
- i. Corrupting, destroying, deleting, or manipulating system data with malicious intent.
- j. Requesting that inappropriate material be transferred.
- k. Violating safety and/or security measures when using any form of electronic communications.
- l. Hacking, cracking, vandalizing, or any other unlawful online activities.
- m. Disclosing, using, or disseminating personal information regarding students.
- n. Cyber bullying, sending hate mail, defamation, harassment of any kind, discriminatory jokes and remarks and other unauthorized uses as referenced in, including but not limited to, Policy 4373 and other applicable federal and state statutes.
- o. Personal gain, commercial solicitation, and compensation of any kind.
- p. Any activity which may result in liability or cost incurred by the district.
- q. Unauthorized downloading, copying, installing and/or executing gaming, audio files, video files or other applications (including shareware or freeware).
- r. Campaigning, lobbying, or other activity via state supported platforms in support or opposition for political activity or issues, including but not limited to, ballot measures, candidates, or legislative proposals.
- s. Posting, sending, or storing information that could threaten or endanger others.
- t. Engaging in plagiarism or reproducing/repurposing media without permission.
- u. Attaching unauthorized equipment to the district or school networks or network connected devices. Any such equipment may be confiscated and/or turned over to law enforcement officers for potentially violating W. Va. Code §61-3C-5.
- v. Attaching unauthorized equipment or making unauthorized changes to the state backbone network. Unauthorized equipment may be confiscated and/or turned over to law enforcement officers for potentially violating W.Va. Code §-61-3C-5. Only WVDE network personnel may authorize changes affecting the state backbone network.
- w. Vandalizing technology equipment or data including but not limited to, uploading, downloading, or creating computer viruses or malware. Vandalism may result in revocation of user privileges and/or prosecution.
- x. Uses related to or in support of illegal activities.
- y. Provision of administrative responsibilities for a server with a wide area network or Internet connection to a current PreK-12 student outside of a laboratory environment, as with career and technical education computer related courses.

Policy 6-011 *Educational Purpose and Acceptable Use of Electronic Resources, Technologies, and the Internet*, in its entirety, is available on the McDowell County Schools Website at the following URL: <http://boe.mcdo.k12.wv.us>

McDowell County Schools Student Acceptable Use Agreement

FAILURE TO COMPLY

I have read the rules and regulations contained in Policy 6-011. I also understand that any computer, as the property of MCS, is subject to random auditing, for the purpose of determining the presence of unauthorized software, by either MCS or software publishing organizations. Failure to comply with the policies as set forth here may result in loss of privileges to use Internet and network computers indefinitely and may also result in further disciplinary action up to and including suspension and expulsion. The McDowell County Board of Education shall ensure implementation of this policy in a method that promotes proper use of the Internet.

SCHOOL NAME _____

STUDENT:

I have read and consent to the rules and responsibilities listed above. I have never had my computer privileges restricted or revoked by any other school.

Student Name (please print): _____

Student's Signature: _____ Date: ____/____/____

SCHOOL SPONSOR:

I have read and discussed the above rules and regulations with the student. The school staff will not be responsible for the student's behavior if he/she intentionally disregards and disobeys the regulations in this policy.

Teacher's Name (please print): _____

Teacher's Signature: _____ Date: ____/____/____

PARENT OR GUARDIAN *:

I have read and discussed this form with my child. I understand that it is the responsibility of my child to restrict his/her use to the classroom projects assigned. I accept full responsibility for supervision if and when my child is using computers in a setting other than school. I also understand that the teacher cannot be held responsible for intentional infractions of the above rules by my child.

_____ I give permission for my child to access the Internet in school.

_____ I do not give permission for my child to access the Internet in school.

Parent or Guardian's Name (please print): _____

Parent or Guardian's Signature: _____ Date: ____/____/____

SCHOOL INTERNET WEB SITE STUDENT INFORMATION

I hereby give permission to use the following information on the school web site.

(Initial all that you approve):

_____ student's first name _____ student's last name _____ student's photo

_____ student in group photo

Note: This form will be kept on file in the school listed above. It will not be transferred to another school.

***Vocational students not currently enrolled in a secondary school are not required to obtain parent signature if they are 18 years or over.**